Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

		Under	the Paperwork Reduction	Act of 1995,	no persons an	e required	to respond to a collection of	Information	untess it contains a valid OMB control number		
	Substitute for form 1449A/PTO					Complete if Known					
	·						Application Number 10/69		7,787		
	STATEMENT BY APPLICANT  (Use as many sheets as necessary) JAN 2 4 2003					Filing Date First Named Inventor Unit		Octob	October 29, 2003		
								Federspiel			
								1638			
						Exam	iner Name	Not k	nown Milliam		
$\Box$	Sheet	1	of 2	12		Stor	ey Docket Number	AG03	3-071C		
		·		137	d	9					
Γ		ATENT DOCUMENTS									
t	Examiner Initials	Cite No.1	Document Num	ment Number Publi		n Date	Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines, Where Relevant		
١			Number - Kind Code <sup>2</sup> (	if known)	MM-DD-Y				Passages or Relevant Figures Appear		
r	MAL	1	US-5939601 08-		08-17-	-17-1999 Klessig					
ľ			US-								
r			US-								
T			US-								
T			US-								
r			US-								

US-US-US-US-US-US-US-US-US-US-US-US-US-US-

FOREIGN PATENT DOCUMENTS							
Examiner	Cite	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁴	
Initials*	No.1	Country Code <sup>8</sup> - Number <sup>4</sup> - Kind Code <sup>8</sup> (if known)					
					_		
			ļ				

Examiner Signature	Me	2 duis	A. Chrac	Date Considered	04/03/06

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). \*See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08b(08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(S) no persons are required to respond to a collection of information unless it contains a valid OMB control number Under the Paperwi

Substitute for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

Complete If Known				
Application Number	10/697,787			
Filing Date	October 29, 2003			
First Named Inventor	Federspiel			
Art Unit	1638			
Examiner Name	Not known H. 1676L			
Attorney Docket Number	AG03-071C			

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2		
MAI	1	LIN,X., et al., "Arabidopsis thaliana chromosome 1 BAC F22H5 genomic sequence, complete sequence.", Genbank GI No. 12331602 [online], 22-JAN-2001 [retrieved 1/14/05]. Retrieved from the Internet: URL: http://www.ncbl.nlm.nih.gov/entrez/query.fcgi?CMD=Dlsplay&DB=nucleotide>			
	2	RUSHTON,P.J., et al., "Synthetic plant promoters containing defined regulatory elements provide novel insights into pathogen- and wound-inducing signaling.", Plant Cell, Apr 2002, 749-62, 14.			
		·			

Examiner Medura A-lloral	Date Considered	04/03/06	
--------------------------	--------------------	----------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.